

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

JAN 03 2013

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

JOSEPH RUWE; ELIZABETH  
ORLANDO, individually and on behalf  
of all others similalry situated,

Plaintiffs - Appellees,

v.

JAMES J. POINDEXTER; et al.,

Objectors - Appellants,

v.

CELLCO PARTNERSHIP, DBA  
Verizon Wireless,

Defendant - Appellee.

No. 12-17778

D.C. No. 3:07-cv-03679-JSW  
U.S. District Court for Northern  
California, San Francisco

**ORDER**

A review of the docket reflects that appellant has not paid the docketing and filing fees for this appeal. Within 21 days from the date of this order, appellant shall: (1) file a motion with this court to proceed in forma pauperis; (2) pay \$455.00 to the district court as the docketing and filing fees for this appeal and provide proof of payment to this court; or (3) otherwise show cause why the appeal should not be dismissed for failure to prosecute. The filing of a motion to proceed in forma pauperis will automatically stay the briefing schedule under Ninth Circuit

Rule 27-11. Any motion to proceed in forma pauperis must include a financial declaration such as the attached Form 4.

If appellant fails to comply with this order, this appeal will be dismissed automatically by the Clerk for failure to prosecute. *See* 9th Cir. R. 42-1.

FOR THE COURT:  
Molly C. Dwyer  
Clerk of Court

Tina S. Price  
Deputy Clerk